

**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** Chairman Earl Pugh, Jr.  
**Attachment:** No

**ITEM TITLE:** OPENING

**SUMMARY:** Call to Order  
Opening Prayer  
Pledge of Allegiance

**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** Chairman Earl Pugh, Jr.  
**Attachment:** Yes

**ITEM TITLE:** CONSIDERATION OF AGENDA

**SUMMARY:** Attached is the proposed Agenda for the August 5, 2019 Regular Meeting of the Hyde County Board of Commissioners.

**RECOMMEND:** Review, Amend and Approve.

---

**MOTION MADE BY:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

**MOTION SECONDED BY:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

**VOTE:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

# **AGENDA**

## **HYDE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING**

**MONDAY, AUGUST 5, 2019 – 6:00 PM**

### **CALL TO ORDER**

### **CONSIDERATION OF AGENDA**

### **CONSIDERATION OF MINUTES**

#### **July 1, 2019**

- Regular Meeting Minutes

### **PUBLIC HEARING (none)**

### **PRESENTATIONS**

- 1) Tax Department Reports ..... Linda Basnight
  - Resolution to Advance Hyde County's Revaluation Schedule
  - Report of Settlement of 2018 Tax Books Recapitulated
  - Collections Report – July 2019
- 2) NC Division of Vocational Rehabilitation Independent Living Services Program ..... Diane Wactor

### **RECOGNITION OF EMPLOYEE/ VOLUNTEER/ FRIEND OF HYDE COUNTY**

### **PUBLIC COMMENTS**

Public Comments are a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes or less and comments should be directed to the entire Board and not to individual members, the staff or to other members of the public. Comments requesting assistance will typically be referred to the County Manager for follow-up or for Board action at a future meeting.

### **ITEMS OF CONSIDERATION**

#### **1) Ordinances – Resolutions – Proclamations**

- Revised Project Budget Ordinance for North Carolina Agricultural ..... Debbie Cahoon  
Development & Farmland Preservation Grant for J.W. & Kathy Spencer  
on 207.94 Acres of Land Located in Swan Quarter Township
- Proclamation of National Child Support Month ..... Laurie Potter

## 2) Appointments

- Albemarle RC&D Council (Commissioner appointment) ..... Manager Noble
- Debt Setoff Hearing Officer ..... Corrinne Gibbs

3) Letter of Agreement for Airport Safety/ Maintenance Projects ..... Jane Hodges

4)

5) Contract for Building Inspector ..... Manager Noble

6) Contract Award – CDBG-I Administrative Services ..... Manager Noble

7) Contract Award – CDBG-I Engineering Services ..... Manager Noble

8) Grant Contract Amendment #2-CDBG-I ..... Manager Noble

9) Mattamuskeet Association/Tideland EMC Infrastructure Loan ..... Daniel Brinn

10) Recommendations for Complete Count Committee-2020 Census ..... Manager Noble

## BUDGET MATTERS

### Coop Extension

- Maintenance & Repairs – Gravel for Ponzer Parking Lot ..... \$3,527.00

### Health Dept.

- Maintenance & Repairs – PME Reserve-Failing Septic Tank ..... \$ 500.00
- Salaries, FICA, Retirement, Contract – WIC/DHHS Revenue ..... \$8,350.00

## MANAGEMENT REPORTS

The Commissioners, County Manager and Assistant County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens.

## PUBLIC COMMENTS

The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.

**CLOSED SESSION** (discussion and possible action if required)

**ADJOURN**



## **SUPPLEMENTAL INFORMATION**

### **Department Reports**

- 1) Tax Department (requires signature)
- 2) Inspections
- 3) Human Resources
- 4) IT Department
- 5) Health Department
- 6) Department of Social Services
- 7) Senior Center
- 8) Soil & Water
- 9) Cooperative Extension
- 10) Airport

### **Informational Items**

- 1) Thank you letter from Kelly Davis
- 2) Article – Health Department to offer free hepatitis C testing
- 3) Article – Engelhard High School Class of 1959 gathers for reunion
- 4) Article – Manteo to regulate boating in Shallowbag Bay
- 5) Article – US Fish & Wildlife grant funds study of bacteria in Lake Mattamuskeet
- 6) Article – Fairfield Fire Dept. receives \$2,500.00 grant
- 7) Article – Broadband Bill Opens Up Options for Electric Co-ops
- 8) Memo – Ponzer Volunteer Fire Department Request for Assistance

**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** Lois Stotesberry, Clerk  
**Attachment:** Yes

**ITEM TITLE:** CONSIDERATION OF MINUTES

**SUMMARY:** Attached are the July 1, 2019 Regular Meeting Minutes of the Hyde County Board of Commissioners.

**RECOMMEND:** Review, Amend and Approve.

---

**MOTION MADE BY:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

**MOTION SECONDED BY:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

**VOTE:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

1 **REGULAR MEETING MINUTES**

2  
3 **HYDE COUNTY BOARD OF COMMISSIONERS**  
4 **MONDAY, JULY 1, 2019**

5  
6 Following opening prayer by Commissioner Swindell; and, Pledge of Allegiance, Chairman Pugh called the  
7 Regular Meeting of the Hyde County Board of Commissioners to order at 6:00p.m., on Monday, July 1, 2019 in the  
8 Hyde County Government Center Multi-Use Room and the Ocracoke Community Center using electronic  
9 conferencing equipment.

10  
11 The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-Chairman Tom Pahl;  
12 Commissioners Shannon Swindell and James Topping; County Manager Kris Cahoon Noble; Economic  
13 Development Consultant Bill Rich; Attorney Franz Holscher; Clerk to the Board Lois Stotesberry and members of  
14 the public. Commissioner Ben Simmons was absent.

15  
16 Teresa Adams and members of the public were present on Ocracoke.

17  
18 **CONSIDERATION OF AGENDA:**

19  
20 Commissioner Pahl moved to approve the Monday, July 1, 2019 Meeting Agenda as presented by the Clerk with  
21 correction to Item No. 5 – Tax Payment Plan Policy presented by ~~Justin Gibbs~~ Kris Noble. Commissioner Swindell  
22 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays –  
23 None; Absent or not voting – Simmons.

24  
25 **CONSIDERATION OF MINUTES:**

26  
27 **June 24 2019 – Special Meeting Minutes**

28 Commissioner Pahl moved to approve the Monday, June 24, 2019 Special Meeting Minutes as presented by the  
29 Clerk. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,  
30 Swindell and Topping; Nays – None; Absent or not voting – Simmons.

31  
32 **PUBLIC HEARING:**

33  
34 **Community Development Block Grant-Neighborhood Revitalization Program Regulations**

35 Commissioner Swindell moved to open public hearing to receive citizen questions and/or comments on the CDBG  
36 funding for a project in the community. Commissioner Pahl seconded the motion. The motion passed on the  
37 following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

38 Chris Hilbert, PE, Holland Consulting Planners, reported Hyde County submitted a CDBG Neighborhood  
39 Revitalization grant in 2018. This public hearing was held in replacement of the public hearing held on June 5,  
40 2018, due to an advertising error, to ensure compliance with North Carolina CDBG regulations.

41 Commissioner Swindell moved to close public hearing on the 2018 CDBG Neighborhood Revitalization Project.  
42 Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell  
43 and Topping; Nays – None; Absent or not voting – Simmons.



1 **PRESENTATIONS:**

2  
3 **Resolution Establishing a Complete Count Committee for The 2020 Census**

4 Census Partnership Specialists Brittany Wheatly of Carteret County and Mario Thomas of Brunswick County  
5 presented a timeline for the upcoming 2020 US Census count and the importance of local governments forming a  
6 Complete Count Committee (CCC) to ensure that the most accurate count is conducted in their counties.

7 Commissioner Pahl moved to adopt Resolution Establishing the Hyde County 2020 Census Complete Count  
8 Committee and to make recommendations for suitable members of the committee. Commissioner Swindell  
9 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays –  
10 None; Absent or not voting – Simmons.

11 *Clerk's Note: A copy of "Resolution Establishing The Hyde County 2020 Census Complete Count Committee" is attached  
12 herewith as Exhibit A and incorporated herein by reference.*

13  
14 **TR-407 Daily Distribution Tax Report**

15 Tax Administrator Linda Basnight presented the May 2019 Daily Distribution Tax Report.

16  
17 Commissioner Swindell moved to approve the TR-407 Report as presented by Ms. Basnight. Commissioner Pahl  
18 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays –  
19 None; Absent or not voting – Simmons.

20  
21 Commissioner Pahl requested statistics from the past year or two be compared by month on future reports.

22 **Hyde County ABC Board Member Appointment and General Update**

23 Meredith Nicholson, ABC Board Chair, presented update on the Hyde County ABC Boards' general financial  
24 condition. Ms. Nicholson presented the ABC Board FY2019-2020 Budget Message. The Board continues to  
25 remain profitable and plans to expand selection of products and improve customer relations with the public and  
26 restaurants they serve. Ms. Nicholson also reported the ABC Board needs to replace its box truck.

27 Commissioner Swindell moved to approve the Hyde County ABC Board FY2019-2020 Budget Message as  
28 presented and to re-appoint Chairman Meredith Nicholson to serve another three year term on the ABC Board  
29 (July 1, 2019 to June 30, 2022). Commissioner Pahl seconded the motion. The motion passed on the following  
30 vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

31 **Employee/ Volunteer/ Friend of the Month**

32 County Manager Kris Cahoon Noble complimented the commissioners and department heads on completion of the  
33 FY2019-2020 Budget.

34  
35 **PUBLIC COMMENT:**

36 Rita Theil, Ocracoke – reported she is working to implement a leash law on the Island.

37  
38 Vice-Chair Pahl recommended she get a petition to the Ocracoke Planning Board.

39  
40 Richard Williams, Engelhard – requested Board of Commissioners assistance with getting a No-Wake Zone on  
41 Rattlesnake Canal in Wysocin Wildlife Sanctuary.



County Manager Kris Cahoon Noble will contact NC Wildlife Resources Commission Officer Robert Wayne for instructions for creating a No-Wake Zone.

Hearing no further comment from the public, Chairman Pugh continued the meeting.

## **ITEMS OF CONSIDERATION:**

### **Project Budget Ordinance FY19-20 for Revolving Loan Fund**

Commissioner Pahl moved to adopt "Hyde County Revolving Loan Fund Project Budget Ordinance FY19-20" as presented by Finance Officer Corrinne Gibbs. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

### **Appointments – Ocracoke Boards and Committees**

**1. Planning Advisory Board** – Commissioner Pahl moved to appoint Garick Kalna to replace Tom Paine; Heather Johnson to replace Vince O'Neal; and, Lena Austin O'Neal to replace Farris O'Neal on the Ocracoke Planning Advisory Board to serve staggered terms with 3 – two year and 3 – three year terms. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

<b>Planning Advisory Board</b>	<b>Term Expired</b>	<b>New Appointment</b>	<b>New Term Length</b>	<b>To Expire On</b>
	Ashley Harrall	Ashley Harrall	2	07-01-2021
	Albert O'Neal	Albert O'Neal	2	06-06-2021
	Steve Wilson	Steve Wilson	3	06-06-2022
	Tom Paine	Garick Kalna	3	06-06-2022
	Vince O'Neal	Heather Johnson	3	06-06-2022
	Farris O'Neal	Lena Austin O'Neal	2	06-06-2021

**2. Board of Adjustments** – Commissioner Pahl moved to reappoint Chairman William Howard and Betty Jane Oelschlegel (regular seats) and to reappoint Joseph Ramunni and Ann Warner (alternate seats) to serve staggered three year terms each on the Ocracoke Board of Adjustments. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

<b>Board of Adjustments</b>	<b>Term Expired</b>	<b>New Appointment</b>	<b>New Term Length</b>	<b>To Expire On</b>
<b>Regular Seats</b>	William Howard - Chairman	William Howard	3	12-05-2022
	Betty Jane Oelschlegel	Betty Jane Oelschlegel	3	07-05-2022
<b>BOA Alternate</b>	Joseph Ramunni	Joseph Ramunni	3	06-06-2022
	Ann Warner	Ann Warner	3	06-06-2022

**3. Occupancy Tax Board** – Commissioner Pahl moved to appoint Ann Warner to replace Stephanie O'Neal and to reappoint Bob Chestnut to serve three year terms on the Ocracoke Occupancy Tax Board. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

<b>Occupancy Tax Board</b>	<b>Term Expired</b>	<b>New Appointment</b>	<b>New Term Length</b>	<b>To Expire On</b>
OCBA Nominee	Stephanie O'Neal	Ann Warner	3	06-06-2022
OCBA Nominee	Bob Chestnut	Bob Chestnut	3	06-06-2022

**4. Ocracoke Waterways Commission** – Commissioner Pahl reported on March 4 Scott Bradley was appointed to complete the three year term of Erik O'Neal ending on July 10, 2018. Commissioner Pahl moved to reappoint Scott Bradley to serve a three year term on the Ocracoke Waterways Commission (July 10, 2018 to July 10, 2021). The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.



Ocracoke Waterways Commission	Term Expired	New Appointment	New Term Length	To Expire On
O'Neal's term expired 07-10-18. Bradley is actually starting a year into a 3 year term expiring on 07-10-21.	Erik O'Neal/Scott Bradley	Scott Bradley	3	07-10-2021
	Darlene Styron	Darlene Styron	3	07-10-2022
	Vince O'Neal	Farris O'Neal	3	07-10-2022

## **Designation of Voting Delegate for NCACC Annual Conference**

Commissioner Swindell moved to designate Chairman Earl Pugh, Jr. the voting delegate for Hyde County at the 112<sup>th</sup> Annual Conference of the North Carolina Association of County Commissioners to be held in Guilford County, N.C., on August 22-24, 2019. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

## **Mattamuskeet Association Project**

Daniel Brinn, Water and Flood Control Coordinator, reported the Mattamuskeet Association wishes to secure a loan at 0% for 10 years in the amount of \$400,000.00 through a loan program offered by Tideland EMS with Hyde County as the principal borrower. The Mattamuskeet Association Members met on March 18<sup>th</sup> 2019 to discuss needed work to conduct repairs resulting from Hurricane Matthew. The Association has a project workshop approved by FEMA as well as state funding that will reimburse the cost of the repairs once completed. The Association has requested help securing the funds in order to complete the work required. Upon completion of the project and receipt of reimbursements the Association will repay the loan.

Commissioner Swindell moved to work with the County attorney to create a contractual relationship between the County and the Mattamuskeet Association in which the Association is obligated to repay Hyde County any funds with which the County assists the Association. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

Commissioner Swindell moved to authorize the County manager to enter into the financing alternative, close the loan, receive the funds, make payment to the Mattamuskeet Association and begin receiving payments in August 2019. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

## **Tax Payment Plan Policy**

County Manager Kris Cahoon Noble presented a tax payment plan policy meant to encourage all taxpayers to budget for their ad valorem taxes.

***Payment Plans will be the primary voluntary collection mechanism and a means to encourage all taxpayers to budget for their ad valorem taxes on a monthly basis. As such, these arrangements can be highly individualized to account for income flow and manageability. This payment plan policy allows formal agreements to be entered at any point. Also, the agreements will require the taxpayer to consent to automatic bank drafts that will occur around the 5<sup>th</sup> day or the 20<sup>th</sup> of each month until the debt is paid in full. In an effort to encourage taxpayers to exercise their option to enter into a formal payment plan as early as possible, a standard amortization schedule will be printed on each tax bill and detachable so the taxpayer can express their intent to enter the agreement. A voided check will be required or the taxpayer would need to provide banking information by some other means, so bank drafts can be created. The standard term will divide the principal into equal monthly payments with a payoff in December or January to avoid the accrual of interest. If the taxpayer needs additional time to fulfill the debt, then the payment schedule can be extended through June of the current taxing year and interest will be added to the payments over the term of the arrangement. Additionally, if the taxpayer enters a payment plan late in the payment period or once the debt has become delinquent, then the taxpayer will have the option to include the next taxing year and prepayments would be applied until the tax becomes due. Any request to deviate from the standard payment schedule would require the taxpayer to contact the Hyde County Tax Office directly to negotiate the individualized plan.***



*If a taxpayer defaults twice after entering a formal agreement, the arrangement would be deemed void and the taxes would be placed in enforced collections.*

Commissioner Swindell moved to approve the Tax Payment Plan Policy as presented. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **Proposed New Job Description: Lands Record Manager**

County Manager Kris Cahoon Noble presented a proposed job description for a new position of “Lands Record Manager”. Justin Gibbs, who is already doing this work, will be paid 40% Lands Record Management funded by the Tax Department and 60% funded by the Emergency Management Department.

Commissioner Swindell moved to approve the Lands Record Manager job description as presented. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **Inspection Fee Schedule**

Jane Hodges, Permits Technician, presented a new Inspection Fee Schedule with addition of Solid Waste container fees (Items 34 and 35) to the Building Inspection Permit Fee Schedule.

<b>No. 34. Red Box Fee for Construction Debris for Ocracoke</b>	<b>\$226.00</b>
<b>Fuel Charges</b>	<b>\$ 65.00</b>

#### **No. 35. David's Trash Fee for Construction Debris Removal**

<b>Ponzer Location</b>	<b>\$405.88</b>
<b>Fuel Charges</b>	<b>\$ 35.00</b>
<b>Scranton Location</b>	<b>\$427.11</b>
<b>Fuel Charges</b>	<b>\$ 45.00</b>
<b>Swan Quarter</b>	<b>\$411.95</b>
<b>Fuel Charges</b>	<b>\$ 55.00</b>
<b>Fairfield</b>	<b>\$463.17</b>
<b>Fuel Charges</b>	<b>\$ 60.00</b>
<b>Engelhard</b>	<b>\$508.79</b>
<b>Fuel Charges</b>	<b>\$ 65.00</b>

Commissioner Pahl moved to approve the amended Inspection Permit Fee Schedule as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **Colocation of AT&T Mobility Telecommunications Facility On Existing Tower**

Donnie Shumate, IT Director, reported AT&T Mobility is proposing to construct and operate a new Wireless Telecommunications Facility to be collocated on the existing Tower located at 1233 Radar Rd., Engelhard, NC. This site will increase the coverage area for AT&T in Hyde County. Mr. Shumate reported, per Hyde County Ordinance Sec. 40-225, this facility should be considered as an (a) (2) antenna located on existing WTS facility, and a higher order WTS preference was not chosen because the existing tower is not a stealth structure. He also reported MasTec Network Solutions will be the contractors handling the installation. All parties involved have submitted the necessary paperwork and the application meets the requirements of the Hyde County Wireless Telecommunications Facility Ordinance.



Commissioner Pahl moved to approve collocation of the AT&T Mobility Telecommunications Facility on existing tower on Radar Road in Engelhard as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

**BUDGET REVISIONS: (none)**

**MANAGEMENT REPORTS:**

**Chairman Pugh** – attended the Salt Water Intrusion Field Day, Ocracoke and Engelhard Medical Center meeting, Ocracoke Control Group and christening of the ferry “Rodanthe”. Mr. Pugh read a thank you card received from Ms. Kelly Davis.

Commissioner Pugh moved to adopt Resolution Opposing House Bill 483 – “Let It Spawn”. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

*Clerk’s Note: A copy of “Hyde County Resolution Opposing House Bill 483” is attached herewith as Exhibit C and incorporated herein by reference.*

**Vice-chairman Pahl** – attended the Ocracoke Township Tourism Development Authority (OTTDA) budget meeting with the Ocracoke Civic and Business Association (OCBA) where the Ocracoke Childcare Center was discussed. He attended the Ocracoke Control Group, Planning Board, Island Inn Project and Waterways Commission meetings and the christening of the new ferry “Rodanthe”. Mr. Pahl reported the passenger ferry project was very successful.

**Commissioner Swindell** – attended the Health Board meeting. He commended Mr. Hugh Watson, Environmental Health Coordinator, for his diligent work in Raleigh for Hyde County.

**Commissioner Simmons** – absent.

**Commissioner Topping** – reported he has been in contact with Ms. Susan Jones of Independent Living. This group assists the elderly and disadvantaged with home repairs at no cost to the citizens. He would like to add Ms. Jones to the next regularly scheduled Board of Commissioners meeting to introduce Hyde County to the Independent Living program. Mr. Topping also noted information he requested from County offices was needed before the FY2019-2020 Hyde County Budget was passed, not after, and in a timely manner.

**County Manager Kris Cahoon Noble** – presented update on projects and activities attended during the month. Ms. Noble’s calendar was provided for the month of June, 2019.

Ms. Noble christened the new ferry “Rodanthe” and will participate in the Ocracoke Independence Day activities.

**PUBLIC COMMENT:**

Ken Collier, Ponzer – requested a letter of support from the Board of Commissioners written to NC DEQ and/or Senator Steinburg regarding an agreement with the Corp of Engineers in reference to Waterway Landing Subdivision property owners.

Commissioner Topping moved to direct the County Manager to prepare the Waterway Landing property owners letter of support as requested. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

Tim Coleman, Ponzer – reported four citizens in the Ponzer community are now certified EMT's. Mr. Coleman requested support from the Board of Commissioners to commission Ponzer Volunteer Fire Department a certified EMT Station.

County Manager Kris Cahoon Noble will ask Emergency Manager Justin Gibbs to make a formal presentation on Mr. Coleman's request at the next regularly scheduled Board of Commissioners meeting on August 5, 2019.

Connie Leinbach, Ocracoke – discussed details of the "Let Them Spawn" resolution.

Hearing no further comment from the public, Chairman Pugh continued the meeting.

**CLOSED SESSION: (none)**

**ADJOURN:**

Commissioner Pahl moved to adjourn the meeting. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

The meeting adjourned at 8:25p.m.

Respectfully submitted:

Minutes approved on the 5<sup>th</sup> day of August, 2019.

Attest:

\_\_\_\_\_  
Lois Stotesberry, CMC, NCCCC  
Clerk, Hyde County Board of Commissioners

\_\_\_\_\_  
Earl Pugh, Jr.  
Chair, Hyde County Board of Commissioners

**Attachments**

**Exhibit A: "Resolution Establishing The Hyde County 2020 Census Complete Count Committee"**

**Exhibit B: "Hyde County Revolving Loan Fund Project Budget Ordinance FY19-20"**

**Exhibit C: "Hyde County Resolution Opposing House Bill 483"**





August 8, 2019

TO: THE HYDE COUNTY BOARD OF COMMISSIONERS

FROM: LINDA BASNIGHT, TAX ADMINISTRATOR

*LMB*

Attached you will find a copy of a letter received from the Department of Revenue in reference to Hyde County's sales ratio and the Department of Revenue's requirement that the County conduct its next reappraisal at the earlier of the currently scheduled appraisal or to become effective January 1, 2022.

This means that Hyde County needs to begin the RFP or contract negotiation process as soon as possible.

There are 3 different approaches we can take to conducting the Revaluation.

1. A full measure and list appraisal. This is where an appraiser actually re-measures each building on the property.
2. A walk around appraisal. The appraiser walks around the property and compares what is on the record card to what they observe. Any discrepancies are then measured and corrected on the record.
3. A roadside appraisal. This is where the appraiser drives up in front of the property and looks at the buildings from the roadside to see if they see any obvious changes.

It would be my recommendation to again conduct a "walk around" revaluation.



## North Carolina Department of Revenue

Roy Cooper  
Governor

Ronald G. Penny  
Secretary

May 7, 2019

Linda Basnight  
Hyde County  
P. O. Box 279  
Swan Quarter, NC 27885

Dear Linda Basnight,

In 2017, the reappraisal standards ("standards") were approved and finalized by the NC Department of Revenue's Local Government Division with the goal being to ensure more equitable and accurate reappraisals state-wide. The "standards" became effective as of January 1, 2018.

Section 1 of the "standards" provides for the Frequency of Countywide Reappraisals. NCDOR recommends that all counties conduct reappraisals at least once every four years, or by January 1 of the third year following notification by our office that the County has failed to meet one of the following criteria:

1. The median sales ratio of real property pursuant to 105-284 falls below 90 percent or exceed 110 percent, or
2. The overall trimmed coefficient of dispersion (COD) as determined by our office is above 25.

By statute, no county can extend the countywide reappraisal beyond eight years.

You are receiving this notice because it has been determined by our office that Hyde County has fallen outside of the acceptable range of the "standards." The 2019 NCDOR sales ratio study has determined a trimmed COD of 25.12 and a median sales ratio of 87.27%. It is our recommendation that Hyde County conducts its next reappraisal at the earlier of the currently scheduled reappraisal or January 1, 2022.

If you feel this notice has reached your office in error, please inform us immediately; otherwise, please submit your completed random sample study (in accordance with section 2 of the "standards") to our office no later than September 1, 2019.

If you have questions, please contact us at: 919-814-1129.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Simpson", written over a circular stamp.

LOCAL GOVERNMENT DIVISION  
John A. (Tony) Simpson, Director

A handwritten signature in black ink, appearing to read "Doug C. Huffman", written over a circular stamp.

Doug C. Huffman  
Real Property Manager

P.O. Box 871, Raleigh, North Carolina 27602-0871  
State Courier 51-71-00  
Website: [www.ncdor.gov](http://www.ncdor.gov)  
An Equal Opportunity Employer

RESOLUTION OF THE HYDE COUNTY BOARD OF COMMISSIONERS  
TO ADVANCE HYDE COUNTY'S REVALUATION SCHEDULE

FROM JANUARY 1, 2025 TO JANUARY 1, 2022

WHEREAS, Hyde County completed and implemented its most recent octennial reappraisal of real property on January 1, 2017 and

WHEREAS, the NCDOR recommends that all counties conduct reappraisals at least once every four years, or by January 1 of the third year following notification by the NCDOR that the County has failed to meet one of the following criteria:

1. The median sales ratio of real property pursuant to 105-284 falls below 90 percent or exceed 110 percent , or
2. The overall trimmed coefficient of dispersion (COD) as determined by the NCDOR is above 25.

Hyde County received notice dated May 7, 2019 that: the 2019 NCDOR sales ratio study determined a trimmed COD of 25.12 and a median sales ratio of 87.27%.

The NCDOR has recommended that Hyde County conducts its next reappraisal at the earlier of the currently scheduled reappraisal or by January 1, 2022.

NOW, THEREFORE BE IT RESOLVED by the Hyde County Board of Commissioners that in the annual budget ordinance for fiscal year 2020/21, the Board shall include in the special reserve fund established for the reappraisal an appropriation for Revaluation in the amount required for reappraisal work during that fiscal year consistent with a plan established for the reappraisal of real property as required by GS 153A-150 and

BE IT FURTHER RESOLVED, that when the County budget for each succeeding fiscal year is in preparation, the Board, the County Manager and Tax Assessor, shall review the progress of the reappraisal work, and the Board shall appropriate to the special reappraisal reserve fund, such funds for reappraisal work during that year as may be necessary to continue the reappraisal work and to assure the completion of the reappraisal work on schedule.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded promptly by the Clerk to the Board to the North Carolina Department of Revenue as required by G.S. 105-286.

Adopted this the \_\_\_\_\_ day of September, 2019.

\_\_\_\_\_.

Earl D. Pugh, Jr. Chairman

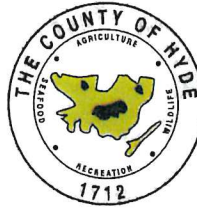
Hyde County Board of Commissioners

Attest:

\_\_\_\_\_.

Lois M. Stotesberry,

Clerk to the Board



NORTH CAROLINA

HYDE COUNTY

TO: THE HYDE COUNTY BOARD OF COMMISSIONERS

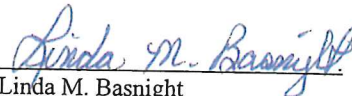
I hereby submit a report of settlement of the 2017 tax books recapitulated as follows:

**DEBITS**

2017 Tax Levy	\$ 6,546,823.61
Public Utility	235,700.74
After List	67.15
Deferred Tax	2,655.19
Interest	<u>20,930.78</u>
	\$ 6,806,177.47

**CREDITS**


Deposits	\$ 6,418,287.11
Prepayments	16,454.65
Bad Check add back	-0-
Refund	-0-
Releases/Adjustments	89,689.26
Unpaid Real	274,534.81
Unpaid Personal	<u>7,213.64</u>
	\$ 6,806,179.47 ( \$ 2.00 over)

  
Linda M. Basnight  
Tax Administrator

NORTH CAROLINA

HYDE COUNTY

I, Corrine Gibbs, Hyde County Finance Officer, do certify that I have examined and audited the final settlement and account of Linda M. Basnight, Tax Administrator of Hyde County, as to the 2017 taxes due Hyde County and that I have found said settlement and account correct and recommend that same be approved by the Hyde County Board of Commissioners.

  
Corrine Gibbs  
Finance Officer

 08-06-2018  
Earl D. Pugh, Jr., Chairman  
Hyde County Board of Commissioners





NORTH CAROLINA

HYDE COUNTY

TO: THE HYDE COUNTY BOARD OF COMMISSIONERS

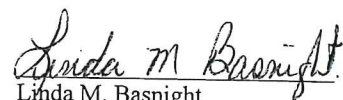
I hereby submit a report of settlement of the 2018 tax books recapitulated as Follows:

**DEBITS**

2018 Tax Levy	\$ 6,852,028.46
Public Utility	237,157.95
After List	8,378.65
Deferred Tax	14,317.57
Interest	<u>30,923.94</u>
	\$ 7,142,806.57

**CREDITS**

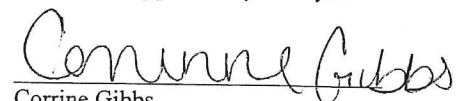
Deposits	\$ 6,761,461.87
Prepayments	37,285.04
Bad Check add back	-0-
Refund	101.38
Releases/Adjustments	71,322.85
Unpaid Real	262,154.74
Unpaid Personal	<u>10,480.69</u>
	\$ 7,142,806.57

  
Linda M. Basnight  
Tax Administrator

NORTH CAROLINA

HYDE COUNTY

I, Corrine Gibbs, Hyde County Finance Officer, do certify that I have examined and audited the final settlement and account of Linda M. Basnight, Tax Administrator of Hyde County, as to the 2018 taxes due Hyde County and that I g=have found said settlement and account correct and recommend that the same be approved by the Hyde County Board of Commissioners.

  
Corrine Gibbs  
Finance Officer

\_\_\_\_\_  
Earl D. Pugh, Chairman  
Hyde County Board of Commissioners



## TR-407 Daily Distribution Report

NCPTS V4

## Report Parameters:

Date Sent To Finance Begin:

7/1/2019

Date Sent To Finance End :

7/31/2019

Number of detailed years before grouping as prior:

All

\*Note : Discounts are considered as release of levy and are not part of Total(\$\$) column.

Tax District	Levy Type	RMV vs Non-RMV	Levy Less Penalties (\$)	Penalties (\$)	Interest (\$)	Other (\$)	Total (\$)	*Discounts (\$)
<b>2019</b>								
NA	ADVANCE	Both RMV and Non-RMV	0.00	0.00	0.00	2,365.27	2,365.27	0.00
			0.00	0.00	0.00	2,365.27	2,365.27	0.00
<b>2018</b>								
FAIRFIELD DRAIN DIST	CLASS A FEE	Non-RMV	196.98	0.00	9.82	0.00	206.80	0.00
FAIRFIELD DRAIN DIST	CLASS B FEE	Non-RMV	25.40	0.00	0.70	0.00	26.10	0.00
FAIRFIELD DRAIN DIST	CLASS C FEE	Non-RMV	17.45	0.00	0.49	0.00	17.94	0.00
FAIRFIELD DRAIN DIST	CLASS E FEE	Non-RMV	26.58	0.00	1.32	0.00	27.90	0.00
HYDE COUNTY TAX		Non-RMV	16,467.46	0.00	999.40	0.00	17,466.86	0.00
MOSQUITO TAX		Non-RMV	127.72	0.00	4.27	0.00	131.99	0.00
NA REFUND ADJUSTMENT		Both RMV and Non-RMV	0.00	0.00	0.00	0.22	0.22	0.00
			16,861.59	0.00	1,016.00	0.22	17,877.81	0.00
<b>2017</b>								
HYDE COUNTY TAX		Non-RMV	979.01	0.00	155.66	0.00	1,134.67	0.00
HYDE COUNTY WATERSHED FEE		Non-RMV	29.23	0.00	4.32	0.00	33.55	0.00
			1,008.24	0.00	159.98	0.00	1,168.22	0.00
<b>2016</b>								
HYDE COUNTY TAX		Non-RMV	1,988.50	0.00	629.50	0.00	2,618.00	0.00
HYDE COUNTY WEST QUARTER FEE		Non-RMV	0.00	0.00	0.05	0.00	0.05	0.00

Tax District	Levy Type	RMV vs Non-RMV	Levy Less Penalties (\$)	Penalties (\$)	Interest (\$)	Other (\$)	Total (\$)	*Discounts (\$)
MOSQUITO	TAX	Non-RMV	0.00	0.00	6.42	0.00	6.42	0.00
2015			1,988.50	0.00	635.97	0.00	2,624.47	0.00
HYDE COUNTY	Advertisement Fee	Non-RMV	2.00	0.00	0.00	0.00	2.00	0.00
HYDE COUNTY	Attorney Fee	Non-RMV	200.00	0.00	0.00	0.00	200.00	0.00
HYDE COUNTY	TAX	Non-RMV	359.30	0.00	879.51	0.00	1,238.81	0.00
2014			561.30	0.00	879.51	0.00	1,440.81	0.00
HYDE COUNTY	TAX	Non-RMV	492.42	0.00	109.46	0.00	601.88	0.00
2013			492.42	0.00	109.46	0.00	601.88	0.00
HYDE COUNTY	TAX	Non-RMV	311.39	0.00	203.98	0.00	515.37	0.00
2012			311.39	0.00	203.98	0.00	515.37	0.00
HYDE COUNTY	TAX	Non-RMV	213.96	0.00	213.00	0.00	426.96	0.00
2011			213.96	0.00	213.00	0.00	426.96	0.00
HYDE COUNTY	TAX	Non-RMV	590.65	0.00	199.41	0.00	790.06	0.00
MOSQUITO	TAX	Non-RMV	0.00	0.00	0.87	0.00	0.87	0.00
2010			590.65	0.00	200.28	0.00	790.93	0.00
HYDE COUNTY	Advertisement Fee	Non-RMV	4.00	0.00	0.00	0.00	4.00	0.00
HYDE COUNTY	TAX	Non-RMV	205.21	0.00	123.96	0.00	329.17	0.00
			209.21	0.00	123.96	0.00	333.17	0.00

Tax District	Levy Type	RMV vs Non-RMV	Levy Less Penalties (\$)	Penalties (\$)	Interest (\$)	Other (\$)	Total (\$)	*Discounts (\$)
<b>2009</b>								
HYDE COUNTY	Advertisement Fee	Non-RMV	2.00	0.00	0.00	0.00	2.00	0.00
HYDE COUNTY	TAX	Non-RMV	114.92	0.00	100.35	0.00	215.27	0.00
			<b>116.92</b>	<b>0.00</b>	<b>100.35</b>	<b>0.00</b>	<b>217.27</b>	<b>0.00</b>
<b>2008</b>								
HYDE COUNTY	Advertisement Fee	Non-RMV	2.00	0.00	0.00	0.00	2.00	0.00
HYDE COUNTY	TAX	Non-RMV	133.37	0.00	278.67	0.00	412.04	0.00
			<b>135.37</b>	<b>0.00</b>	<b>278.67</b>	<b>0.00</b>	<b>414.04</b>	<b>0.00</b>
<b>2007</b>								
HYDE COUNTY	Advertisement Fee	Non-RMV	2.00	0.00	0.00	0.00	2.00	0.00
HYDE COUNTY	SOLID WASTE FEE	Non-RMV	300.00	0.00	316.48	0.00	616.48	0.00
HYDE COUNTY	TAX	Non-RMV	133.37	0.00	140.69	0.00	274.06	0.00
			<b>435.37</b>	<b>0.00</b>	<b>457.17</b>	<b>0.00</b>	<b>892.54</b>	<b>0.00</b>
<b>2006</b>								
HYDE COUNTY	Advertisement Fee	Non-RMV	1.50	0.00	0.00	0.00	1.50	0.00
HYDE COUNTY	SOLID WASTE FEE	Non-RMV	150.00	0.00	172.11	0.00	322.11	0.00
HYDE COUNTY	TAX	Non-RMV	133.37	0.00	153.03	0.00	286.40	0.00
			<b>284.87</b>	<b>0.00</b>	<b>325.14</b>	<b>0.00</b>	<b>610.01</b>	<b>0.00</b>
<b>2005</b>								
HYDE COUNTY	Advertisement Fee	Non-RMV	1.50	0.00	0.00	0.00	1.50	0.00
HYDE COUNTY	SOLID WASTE FEE	Non-RMV	150.00	0.00	185.64	0.00	335.64	0.00
HYDE COUNTY	TAX	Non-RMV	133.37	0.00	165.06	0.00	298.43	0.00
			<b>284.87</b>	<b>0.00</b>	<b>350.70</b>	<b>0.00</b>	<b>635.57</b>	<b>0.00</b>
<b>Total</b>			<b>23,494.66</b>	<b>0.00</b>	<b>5,054.17</b>	<b>2,365.49</b>	<b>30,914.32</b>	<b>0.00</b>



**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** Diane Wactor  
**Attachment:** Yes

**ITEM TITLE:** NC DIVISION OF VOCATIONAL REHABILITATION  
INDEPENDENT LIVING SERVICES PROGRAM

**SUMMARY:** Ms. Diane Wactor, Caseworker Technician with the Greenville Unit of the North Carolina Dept. of Health & Human Services Independent Living Program will present information regarding independent living services available to disabled citizens of Hyde County.

**RECOMMEND:** INFORMATION ONLY

---

MOTION MADE BY: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

MOTION SECONDED BY: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

VOTE: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

**Diane M. Wactor**

Casework Technician

Independent Living Program, Greenville Unit

North Carolina Department of Health and Human Services

Office: 252-830-3471 ext. 238

Fax: 252-830-6599

[diane.wactor@dhhs.nc.gov](mailto:diane.wactor@dhhs.nc.gov)

101 Fox Haven Drive

P.O. Box 2487

Greenville, NC 27836

**State Office 919-855-3524**  
**2801 Mail Service Center**  
**Raleigh, NC 27699-2801**

Albemarle 704-985-1172  
 702 Henson Street 28801  
 Counties: Anson, Cabarrus, Montgomery, Rowan, Richmond, Stanly, Union

**Asheville 828-670-3377**  
 8 Barbetta Drive 28806  
 Counties: Buncombe, Henderson, McDowell, Madison, Polk, Rutherford, Transylvania

Boone 828-265-5419  
 Suite A, 245 Winkler's Creek Road 28607  
 Counties: Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, Yancey

**Charlotte 704-568-8804**  
 Suite 101, 5501 Executive Center Drive 28212  
 Counties: Gaston, Mecklenburg

Durham 919-560-6815  
 4312 Western Park Place 27705  
 Counties: Chatham, Durham, Lee, Orange, Person, Granville

**Elizabeth City 252-338-0175**  
 Suite 75, 401 South Griffin Street 27909  
 Counties: Bertie, Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans, Tyrrell, Washington

Fayetteville 910-486-1717  
 1200 Fairmont Court 28304  
 Counties: Bladen, Cumberland, Harnett, Hoke, Moore, Robeson, Sampson, Scotland

**Greensboro 336-852-4523**  
 3401-A West Wendover Avenue 27407  
 Counties: Alamance, Caswell, Guilford, Randolph, Rockingham

Greenville 252-830-3471  
 PO Box 2487; 101 Fox Haven Drive 27836  
 Counties: Beaufort, Greene, Hyde, Lenoir, Pitt, Wayne

Hickory 828-294-0338  
 2662 NC 127 South 28602  
 Counties: Alexander, Burke, Caldwell, Catawba, Cleveland, Iredell, Lincoln

**New Bern 252-514-4806**  
 2832 Neuse Boulevard 28562  
 Counties: Carteret, Craven, Jones, Onslow, Pamlico

Raleigh 919-715-0543  
 436 North Harrington Street  
 2803 Mail Service Center 27699-2803  
 Counties: Franklin, Johnston, Vance, Wake, Warren

**Rocky Mount 252-446-0867**  
 Suite 163, Station Square 27804  
 Counties: Edgecombe, Halifax, Hertford, Martin, Nash, Northampton, Wilson

Sylva 828-586-3455  
 Suite C, 100 Bonnie Lane 28779  
 Counties: Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain

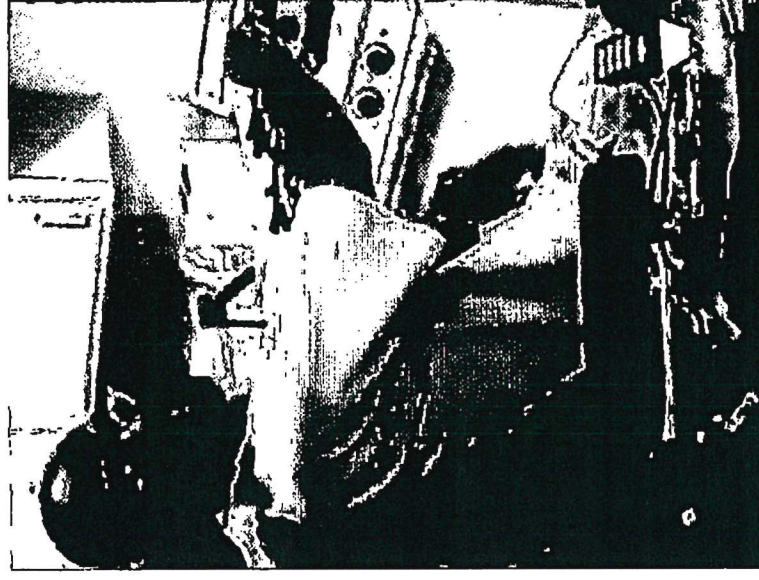
**Wilmington 910-251-5810**  
 Suite B, 1506 Market Street 28401  
 Counties: Brunswick, Columbus, Duplin, New Hanover, Pender

Winston-Salem 336-784-2700  
 2201 Brewer Road 27127  
 Counties: Davidson, Davie, Forsyth, Stokes, Surry, Yadkin



The NC Department of Health and Human Services does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services.

50,000 copies of this document were printed at a cost of \$3,143.23 or \$.06286 per copy



NC Division of Vocational Rehabilitation

# Independent Living Services

VR



# It's Your Community. Where Do You Want to Go?

North Carolinians want to participate in family and community activities to the best of their abilities. For North Carolinians with significant disabilities, the Independent Living Rehabilitation Program can be a partner on your road to better managing your own life and taking a more active part in the life of your family, home and community.

## How Can IL Services Help?

Independent Living assists eligible individuals with significant disabilities in obtaining services that:

- ▼ Provide an alternative to institutionalization, when possible.
- ▼ Improve functioning in one's family, home and community.
- ▼ Assist in preparing a person for a vocational rehabilitation program.

Services may be provided directly, purchased, or coordinated through other community resources. If IL is unable to meet a person's needs, that individual may be referred to other agencies for services as appropriate.

## Who Is Eligible for Services?

An individual may be eligible for IL services if all of the following apply:

- ▼ The person has a significant disability.
- ▼ The disability severely limits the person's ability to live independently.
- ▼ Receipt of services will significantly improve the person's ability to live independently.

The financial resources of eligible individuals will be considered for the delivery of some services provided under the IL Program.

## What Services Are Offered?

IL Program professionals will partner with eligible individuals to develop goals and identify services. The result is a jointly-developed plan of services.

**Services may include but are not limited to:**

- ▼ Guidance and counseling
- ▼ Rehabilitation engineering
- ▼ Personal assistance service
- ▼ Home and vehicle modifications
- ▼ Housing information and placement assistance
- ▼ Purchase of certain medical equipment and assistive devices.
- ▼ Recreation therapy services and assistance with leisure services

## ***Get Your Copy of ACCESS North Carolina!***

The publication *ACCESS North Carolina* provides travelers with disabilities a range of information on the accessibility of the state's parks, historic sites, museums, and other vacation destinations. For your copy, contact the NC Division of Travel and Tourism at 1-800-VISITNC or the ACCESS North Carolina project at 919-855-3523.



## NC INDEPENDENT LIVING REHABILITATION PROGRAM

### ***Plan Your Independence. Achieve Your Potential.***



If your disability prevents you from reaching your goals, the **North Carolina Independent Living Rehabilitation Program (NCILRP)** can help you **achieve a more independent life** by connecting you to **training, resources, services, and activities** in the community that you choose.



#### **PLANNING**

We help you develop a **plan for independence**

- professional guidance and counseling
- accessible housing information and placement assistance
- information and referrals for skills training, personal attendant, and other services and supports



#### **ACHIEVING**

Person-centered supports to **achieve your goals**

- live in your community of choice
- manage your responsibilities
- participate in family and community activities
- find employment



#### **INDEPENDENCE**

Partner with us for **a more independent life**

- home modifications
- vehicle modifications
- assistive and adaptive technology
- medical equipment

For more information regarding your specific needs, please visit:

**[ncilrp.com](http://ncilrp.com)**



# Your Plan for Independent Living



**NCILRP** provides services statewide through a network of 17 offices. For a referral, call one of our regional centers.

**Western**  
(828) 433-2230

**Central**  
(919) 775-4283

**Eastern**  
(252) 355-9010



State of North Carolina • Department of Health and Human Services  
Independent Living Rehabilitation Program

[www.ncdhhs.gov](http://www.ncdhhs.gov) • NCDHHS is an equal opportunity employer and provider.

50,000 copies of this public document were printed at a cost of \$1,783.19 or .04 per copy. 11/18

**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** County Manager Kris Noble  
**Attachment:** No

**ITEM TITLE:** EMPLOYEE/VOLUNTEER/FRIEND OF THE MONTH

**SUMMARY:** Manager Kris Noble will announce the Employee, Volunteer and/or Friend of the County for the month of August, 2019.

**RECOMMEND:** Congratulations.

---

**MOTION MADE BY:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

**MOTION SECONDED BY:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

**VOTE:** ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** Citizens  
**Attachment:** No

**ITEM TITLE:** PUBLIC COMMENTS

**SUMMARY:** Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens.

Comments should be kept to (3) minutes and directed to the entire Board, not just one individual Commissioner, staff member or to a member of the audience.

Time for one person cannot be used by another person.

Comments that reflect the need for additional assistance will be directed to the County Manager or referred to a future meeting agenda.

**RECOMMEND:** Receive comments.

**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** Corinne Gibbs  
**Attachment:** Yes

**ITEM TITLE:** Revised Project Budget Ordinance for North Carolina Agricultural Development & Farmland Preservation Grant for Jones W. & Kathy G. Spencer on 207.94 acres of land located in Swan Quarter Township.

**SUMMARY:** The original project ordinance presented and adopted on February 5, 2018 stated a total of \$540,611.00 in grant to be dispersed contingent on final certified appraisal and conservation easement being recorded.

The final certified appraisal figures have been revised. The total grant project amount to be dispersed is \$247,412.37. See project spreadsheet attached.

**RECOMMEND:** THE BOARD OF COMMISSIONERS APPROVE THIS REVISED PROJECT BUDGET ORDINANCE.

---

MOTION MADE BY: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

MOTION SECONDED BY: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

VOTE: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

## REVISED PROJECT BUDGET ORDINANCE

Hyde County – North Carolina Department of Agriculture and Consumer Services

Agricultural Development and Farmland Preservation Grant

Cycle X Award for Agricultural Development & Farmland Preservation Trust Fund

Project Budget Ordinance

**July 11, 2019**

Be it ordained by the Hyde County Board of Commissioners, that pursuant to Article 61 of Chapter 106-743 -744 and 143C-6-22 & 23 of the General Statutes of North Carolina, the following grant program ordinance is hereby adopted:

Section 1: The program authorized is The North Carolina Department of Agriculture through the Agricultural Development and Farmland Preservation Trust Fund (ADFP) program identified as Cycle 10 grant funds. The purpose of the project is provide grants for agricultural conservation easements on family farms throughout the state of North Carolina.

Section 2: Hyde County and the Hyde Soil & Water Conservation Staff are hereby directed to proceed with the grant program within the terms of the grant document(s), the rules and regulations of the North Carolina Department of Agriculture and Consumer Services Division of the Agricultural Development & Farmland Preservation (ADFP), and the budget contained herein.

Section 3: The following revenues and resources are anticipated to be available to complete the program activities:

### **ADFP Grant Funds for Cycle 10**

<b>NC Department of Agriculture – ADFP Grant Program</b>	<b>\$247,412.37</b>
--	---------------------

<b>Total:</b>	<b><u>\$247,412.37</u></b>
---------------	----------------------------

Section 4: The following amounts will be disbursed from the North Carolina Department of Agriculture through ADFP Grant Cycle 10 as requested for program activities:



See attached project timeline and budget spreadsheet    \$247,412.37

Section 5: Copies of this grant program ordinance shall be made available to the Grant Finance Officer for direction in carrying out this program.

Adopted this the 5<sup>th</sup> day of August, 2019.

---

Earl Pugh, Jr. Chairman

Hyde County Board of Commissioners

ATTEST:

---

Lois Stotesberry, Clerk to the Board



ADFP Grant Easement Budget - ADW-ADFP- 17-015 Jones W & Kathy Spencer Easement									
Line Item	Acres	ADFPTE	Military	Budget Updated	7/11/2019			Budget Good To:	10/10/2019
Ad Valorem Taxes				Contract Budget For Perpetual					
Appraisal				USDA NRCS RCP					
Attorney Fees		\$2,500.00			Other Resources				
Baseline Documentation Report		\$3,000.00							
Environmental Assessment / Audit		\$513,700.00							
Pay-Off 1st Mortgage		\$2,500.00							
Pay-Off 2nd Mortgage									
Personnel / Administrative									
Recording Fee Subordination									
Recording Fee		\$500.00							
Revenue Stamps									
Stewardship Endowment		\$15,411.00							
Survey		\$3,000.00							
Title Insurance		\$0.00							
Travel									
Parcel Size	210.00								
Totals	210.00	\$540,611.00	\$0.00		\$529,111.00	\$1,068,722.00			
% of Expenditures		50.54%	0.00%			100%			
Current Available Funds Based Upon Appraised Values for Perpetual Easement									
Ad Valorem Taxes									
Appraisal									
Attorney Fees		\$2,500.00	\$0.00			\$2,500.00			
Baseline Documentation Report		\$3,000.00	\$0.00			\$3,000.00			
Environmental Assessment / Audit		\$229,057.37	\$0.00			\$229,057.37			
Pay-Off 1st Mortgage		\$2,500.00	\$0.00			\$2,500.00			
Pay-Off 2nd Mortgage									
Personnel / Administrative									
Recording Fee Subordination									
Recording Fee		\$500.00	\$0.00			\$500.00			
Revenue Stamps									
Stewardship Endowment		\$6,855.00	\$0.00			\$6,855.00			
Survey		\$3,000.00	\$0.00			\$3,000.00			
Title Insurance		\$0.00	\$0.00			\$0.00			
Travel									
Parcel Size	207.94								
Totals	207.94	\$247,412.37	\$0.00			\$247,412.37			
Easement acres / contract acres		99.02%							
% of Project Cost		51.04%	0.00%			48.96%			
Investment per acre		\$1,189.83	\$0.00			\$1,189.83			
Easement Value per acre		\$1,101.56	\$0.00			\$1,101.56			
Projected Expenditure is above 30% required match in contract.									
Monitoring fee matches are capped at 3% of the agricultural conservation easement value of the land parcel									
Values based upon Appraisal:									
Date of Appraisal	Shackelford & Associates								
Landowner	4/9/2019 Revised Update 7-10-2019								
Property Location	Jones W. Spencer								
Acres	Juniper Bay Rd., Swan Quarter, Hyde County, NC 27885	207.94							
Market Value Before Easement		\$1,206,000.00							
Estimated Value After Easement Placement		\$749,000.00							
Development Rights Value To Be Removed		\$457,000.00							
Perpetual Easement Value		\$457,000.00							

Item	Expenditure	Balance
ADFPTE Contract Budget		\$247,412.37
Potential Advance Check		\$247,412.37
80% Check	\$197,929.90	\$49,482.47
Project Closing Check	\$49,482.47	\$0.00
Military Easement Purchase %		0.000%
USDA NRCS Easement Purchase %		0.000%
ADFP Trust Fund Easement Purchase %		50.12%
Other Resources		49.88%
TOTAL %		100.00%
Projected Match Needed for 30%		\$7,422.37
Current Projected Match %		95.91%
Maximum For Monitoring Fees		\$13,710

Notes:

Updated opinion letter by appraiser is needed within 50 days of recording and closing the conservation easement.





Section 5: Copies of this grant program ordinance shall be made available to the Grant Finance Officer for direction in carrying out this program.

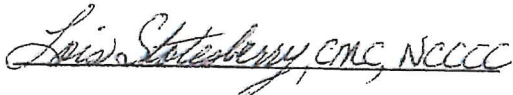
Adopted this the <sup>5<sup>th</sup></sup> day of ~~January~~ <sup>February</sup> 2018.



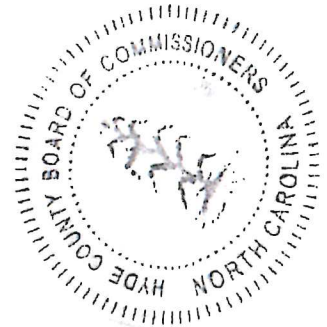
Earl Pugh, Jr. Chairman

Hyde County Board of Commissioners

ATTEST:



Lois Stotesberry, Clerk to the Board



**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** DSS Director Laurie Potter  
**Attachment:** Yes

**ITEM TITLE:** Child Support Proclamation

**SUMMARY:** Proclamation of National Child Support Month

**RECOMMEND:** Approve

---

**Motion Made By:** ☐ Earl Pugh, Jr.  
☐ Shannon Swindell  
☐ James Topping  
☐ Ben Simmons  
☐ Tom Pahl

**Motion Seconded By:** ☐ Earl Pugh, Jr.  
☐ Shannon Swindell  
☐ James Topping  
☐ Ben Simmons  
☐ Tom Pahl

**Vote:** ☐ Earl Pugh, Jr.  
☐ Shannon Swindell  
☐ James Topping  
☐ Ben Simmons  
☐ Tom Pahl





## COUNTY OF HYDE

### Department of Social Services

Post Office Box 100  
Engelhard, NC 27824

LAURIE A. POTTER  
DIRECTOR

TELEPHONE  
252-926-4199

WHEREAS, Hyde County is recognizing August as Child Support Awareness Month, and reaffirms its commitment to strengthening Hyde Counties families by providing child support services to improve the economic stability and well-being of children; and

WHEREAS, in State Fiscal Year 2018-19, more than \$270 thousand in child support was collected from parents of Hyde Counties children, and

WHEREAS, there are nearly 179 child support orders in place, working to ensure that more than 176 children receive financial support from their parents; and

WHEREAS, Child Support Awareness Month salutes the diligent working parents who spend time with their child and who make regular child support payments, to safeguard their children's future: and

WHEREAS, strengthening individuals and families promotes the safety and well-being of children, provides stability, improves the lives of children, and provides opportunities for families to be able to enhance their children's futures; and

WHEREAS, children who do not receive adequate financial and emotional support from their parents may experience greater difficulty in becoming healthy, happy and productive citizens; and

WHEREAS, many concerned and dedicated judges, district attorneys, clerks of court, sheriffs' personnel and child support professionals work to establish and enforce child support orders for Hyde County children, one of our counties most vital resources;

NOW, THEREFORE, We, the Hyde County Board of Commissioners, do hereby proclaim August 2019, as "CHILD SUPPORT AWARENESS MONTH" in Hyde County, and commend its observance to all citizens.

IN WITNESS WHEREOF, the Hyde County Board of Commissioners duly adopts this proclamation on the 5<sup>th</sup> day of August, 2019.

Attest:

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board

Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** County Manager Kris Cahoon Noble  
**Attachment:** Yes

**ITEM TITLE:** APPOINTMENT TO THE ALBEMARLE RC&D

**SUMMARY:** There is currently no representative for Hyde County government serving on the Albemarle RC&D Council. Manager Noble is recommending that the Board consider appointment of Daniel Brinn to the Council.

**RECOMMEND:** APPROVE RECOMMENDATION

---

**MOTION MADE BY:** \_\_\_ PUGH  
\_\_\_ PAHL  
\_\_\_ SIMMONS  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**MOTION SECONDED BY:** \_\_\_ PUGH  
\_\_\_ PAHL  
\_\_\_ SIMMONS  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**VOTE:** \_\_\_ PUGH  
\_\_\_ PAHL  
\_\_\_ SIMMONS  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

# Albemarle Resource Conservation & Development Council, Inc.



*Wisely Conserving Natural Resources & Creating Opportunities for Positive Economic & Community Development.*

## **Camden**

Abner Wayne Staples  
Garry Meiggs  
Brian Lannon,  
*Chairman*

## **Chowan**

Shannon Ray,  
*Secretary/Treasurer*  
Fenton Eure, *Vice Chairman*  
Larry McLaughlin  
Carey Parrish

## **Currituck**

Will Creef  
Mike Doxey

## **Dare**

Ann Sinclair,  
*At-Large*  
Erin Fleckenstein

## **Gates**

Natalie Rountree

## **Hyde**

Allison Mulligan

## **Pasquotank**

Michele Aydtlett  
Maurice Berry, Jr  
Rodney Johnson,  
Frankie Meads  
Marshall Stevenson

## **Perquimans**

Charles Mathews  
Lynn Mathis

## **Tyrrell**

Nathan T. Everett,  
*Past-Chair*  
Trey Liverman  
Rhett White

## **Washington**

William Sexton  
Gerda Rhodes  
Perlis Nixon

July 9, 2019

Kris Noble, Manager  
County of Hyde  
PO Box 188  
30 Oyseter Creek Road  
Swan Quarter, NC 27885

Dear Kris:

Dick Tunnell served with distinction as the Board of Commissioners' appointee to the Albemarle RC&D Council. With his departure from the Board, the Albemarle RC&D Council respectfully requests that the Board consider a new appointee to the council.

Allison Mulligan is the new Hyde Soil and Water representative to the council and we look forward to developing new projects in the county with input from both Soil and Water and the Board of Commissioners.

Thank you, and the Board of Commissioners, for considering this request.

Sincerely,

Brian Lannon  
Chairman



**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** Corrinne Gibbs  
**Attachment:** Yes

**ITEM TITLE:** APPOINTMENT – NC LOCAL GOVERNMENT DEBT SETOFF  
HEARING OFFICER

**SUMMARY:** Since adopting resolution to join (November 2009), Hyde County has participated in the North Carolina Association of County Commissioners (NCACC) Debt Setoff Program. Corrinne Gibbs currently serves as the designated Hearing Officer (October 6, 2014 to present) and has requested someone else serve as Hearing Officer.

Jane Hodges has worked with the program since 2009 and has now been asked to serve as the Debt Setoff Hearing Officer for Hyde County. The Hearing Officer position requires Board appointment.

**RECOMMEND:** Appoint Jane Hodges as Debt Setoff Hearing Officer.

---

MOTION MADE BY: ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

MOTION SECONDED BY: ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

VOTE: ☐ PUGH  
☐ SIMMONS  
☐ PAHL  
☐ SWINDELL  
☐ TOPPING

**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** Jane Hodges  
**Attachment:** Yes

**ITEM TITLE:** Letter of Agreement for Airport Safety/Maintenance Projects

**SUMMARY:** The Airport is supposed to get one signed every year so that the State can come out and fix their portion of things that have issues.

**RECOMMEND:** PLEASE APPROVE

---

**MOTION MADE BY:** \_\_\_ PUGH  
\_\_\_ PAHL  
\_\_\_ SIMMONS  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**MOTION SECONDED BY:** \_\_\_ PUGH  
\_\_\_ PAHL  
\_\_\_ SIMMONS  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**VOTE:** \_\_\_ PUGH  
\_\_\_ PAHL  
\_\_\_ SIMMONS  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**LETTER OF AGREEMENT FOR  
AIRPORT SAFETY/MAINTENANCE PROJECTS**

THIS AGREEMENT is made, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the  
(Airport Owner) \_\_\_\_\_  
as owner and operator (hereinafter referred to as "Sponsor") of the  
(Official Airport Name) \_\_\_\_\_  
(hereinafter referred to as "Airport,") and the North Carolina Department of Transportation (Division  
of Aviation), an agency of the State of North Carolina (hereinafter referred to as "Department"), for  
the purposes of future and as-yet unspecified safety or maintenance services to be performed by said  
Department in accordance with the terms, conditions and provisions hereof.

**WITNESSETH**

WHEREAS, the Sponsor is primarily responsible for maintaining the facilities of the Airport to  
protect and preserve the safety of flight operations at, from and to the Airport; and

WHEREAS, and the Department shares the interest of the Sponsor in the prompt and adequate  
maintenance and repair of the paved surfaces of the Airport which support aircraft movements on the  
Airport; and

WHEREAS, the Sponsor and the Department may, from time to time, mutually determine that  
certain paved surfaces and adjacent areas on the airport have aged and deteriorated and/or that other  
infrastructure is in need of maintenance or repair, and that the Sponsor could benefit from the  
assistance of the Department in accomplishing such maintenance and repair; and

WHEREAS, pursuant to Article 7 of North Carolina General Statute 63, the Department is  
authorized to undertake safety improvements of aircraft movement areas, on publicly owned and  
operated airports in North Carolina; and

WHEREAS, the Sponsor and the Department agree that upon the request by the sponsor and the  
acceptance by the Department, certain needed improvements at the Airport may be undertaken by the  
Department in conformance with the provision of North Carolina General Statute 63; and

WHEREAS, the Department requires a Commitment and Release of Liability statement to be on file  
in its offices, in order to be able provide and oversee such maintenance and repair at the Airport;

NOW THEREFORE, the Sponsor does hereby commit to the following measures:

1. This Letter of Agreement supersedes all prior agreements between the Department and Sponsor  
with respect to the subject matter of this Letter of Agreement.



2. Upon the Sponsor's approval, the Department, using NCDOT state forces and/or private contractor(s) under a Purchase Order Contract, may perform the requested maintenance and repair to the Airport. This work may include, but not be limited to; Joint and Crack Sealing, Pavement Repairs and Patching, Surface Treatments, Maintenance Overlays, Electrical, Grading, Drainage Improvements, Pavement Markings, or other infrastructure maintenance.
3. The Sponsor will receive notification from the Department of the Department's willingness to perform (or pay to have performed) any item or items of work approved by the Sponsor and a proposed schedule for performing the work and the force or contractor the Department proposes to perform the work.
4. If the schedule and the force or contractor proposed by the Department for performing the work is acceptable to the Sponsor, the Sponsor shall authorize the Department (or its contractors) to enter upon the property of the Airport during the scheduled time to perform the work.
5. If the schedule and the force or contractor proposed by the Department for performing the work is unacceptable to the Sponsor, the Sponsor shall inform the Department of the reasons for its objections and the Sponsor and the Department will engage in dialogue with the intent of determining if an alternative schedule or force or contractor is acceptable to both the Sponsor and the Department. If the Sponsor and the Department cannot reach agreement through the process described in paragraph 4 then the Department will withdraw its offer to perform the requested work.
6. The Sponsor hereby represents to the Department that the title to the pavement and adjacent areas of the Airport is vested in the Sponsor.
7. The Sponsor agrees to provide a duly authorized representative who will be present and/or available at all times the work is in progress (including nights and weekends, as applicable) to monitor project operations and assist the Department's representative.
8. The Sponsor agrees to provide a duly qualified operator who will monitor the airport's UNICOM radio transceiver at all times the work is in progress (including nights and weekends, as applicable) and will issue airport advisories as necessary on the UNICOM radio transceiver.
9. The Sponsor agrees, when needed, to formally close any runway, taxiway, or apron at all times when the work is in progress on that pavement area and to take appropriate steps to prohibit use of such areas by aircraft and/or ground vehicles while the work is being performed or the subject pavement areas are in an unsafe or uncured condition due to the conduct of the work.
10. The Sponsor agrees to issue and keep current the necessary Notices to Airmen (NOTAMS) through the Federal Aviation Administration (FAA) until all work is completed and the Department's representative notifies the Sponsor's representative that the affected areas may be returned to service.

WITNESS WHEREOF, the Sponsor has executed this Commitment on the date first written on Page 1 of this document.

FOR THE LOCAL AIRPORT SPONSORING AGENCY

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Official Sponsor: \_\_\_\_\_

Attest: \_\_\_\_\_

SEAL OF THE SPONSOR

A digital copy of this LETTER OF AGREEMENT in adopted form should be emailed to the Statewide Program Manager and your Airport Project Manager. General telephone number is: (919) 814-0550.

Statewide Program Manager - Randy Finger, P.E. [afinger@ncdot.gov](mailto:afinger@ncdot.gov)

Airport Project Manager (NW) - Rachel Bingham, P.E. [rsbingham@ncdot.gov](mailto:rsbingham@ncdot.gov)

Airport Project Manager (NE) – Ron McCollum, P.E. [remccollum@ncdot.gov](mailto:remccollum@ncdot.gov)

Airport Project Manager (SW) – Jared Penny [jjpenny@ncdot.gov](mailto:jjpenny@ncdot.gov)

Airport Project Manager (SE) – Ashley Clowes, P.E. [aeclowes@ncdot.gov](mailto:aeclowes@ncdot.gov)

Airport Project Manager (Commercial Service) – Todd Meyer, P.E. [tmeyer@ncdot.gov](mailto:tmeyer@ncdot.gov)

11. The Sponsor agrees that the Department may, in its sole discretion, determine the design, scope of work, materials to be used, and methods of accomplishing the authorized work. The Department covenants that any and all such work as it performs or has performed at the Airport pursuant to this agreement will meet or exceed all relevant State of North Carolina and Federal Aviation Administration specifications for the type of pavement concerned and the type of maintenance or repair that is being performed.

12. To the maximum extent allowed by law, the Sponsor shall indemnify and hold harmless the Department and its officers and employees from all suits, actions, or claims of any character because of injury or damage received or sustained by any person, persons, or property resulting from work performed under this Commitment. This indemnity does not extend to causes of action arising from the negligence of the Department, its officers and employees or any of Department's contractors who performed the work.

13. Should Sponsor fail to comply with any material duty required of it under this Agreement the Department shall give written notice to the sponsor of the details of its non-compliance and provide a reasonable period in which the Sponsor can cure its non-compliance. Upon the expiration of said cure period without the Sponsor having come into compliance, the Sponsor agrees that, at its sole and unlimited discretion, the Department shall have the right to immediately stop all work being performed at the Airport and release the work area to the jurisdiction of the Sponsor.

14. The Sponsor understands that for the Department to perform maintenance or safety services, the Airport and Sponsor must be in good standing on all State and Federal Grant Requirements and Assurances before any project shall be performed under this Commitment.

15. Subject to the provisions of paragraph 13 above, this Commitment will expire on December 31, 2023. Subject to the provisions of paragraph 13 above, this Commitment may be terminated by either the Department or the Sponsor by providing written notification of termination. The effective date of termination pursuant to this paragraph shall be the date of receipt of the notice of written termination by the non-terminating party.

**NC Division of Aviation**

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Bobby Walston, P.E.  
Aviation Director



### Resolution of the Sponsor

A motion was made by (Name and title) \_\_\_\_\_  
and seconded by (Name and Title) \_\_\_\_\_  
for the adoption of the following resolution, upon being put to a vote it was duly adopted:

THAT WHEREAS (Airport Owner) \_\_\_\_\_  
(hereinafter referred to as "Sponsor") the North Carolina Department of Transportation (hereinafter  
referred to as "Department") requires a Commitment and Release of Liability statement to be on file,  
in order to provide and oversee maintenance and safety improvements on the operational surfaces of  
the (Official Airport Name) \_\_\_\_\_ ;  
in accordance with the provisions of North Carolina General Statute 63.

NOW THEREFORE, BE IT AND IS HEREBY RESOLVED, that the  
(Title of Airport Official) \_\_\_\_\_  
of the Sponsor be and is hereby authorized and empowered to enter into a Commitment and Release  
of Liability with the Department, thereby binding the Sponsor to fulfillment of its obligation as  
incurred under this resolution and its commitment to the Department.

\*\*\*\*\*

I, (Name and title of Public Notary) \_\_\_\_\_ ,  
of the (Name of Sponsoring Agency) \_\_\_\_\_ ,  
do hereby certify that the above is a true and correct copy of the minutes of  
(Name of Authorizing Board of the Sponsoring Agency) \_\_\_\_\_ ,  
held on (Date of Meeting) \_\_\_\_\_ .

WITNESS my hand and the official seal of the Sponsor.

This the day of (month, day, year) \_\_\_\_\_ .

Signed: \_\_\_\_\_

NOTARY SEAL

**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** August 5, 2019  
**Presenter:** County Manager Kris Cahoon Noble  
**Attachment:** Yes

**ITEM TITLE:** BUILDING INSPECTOR CONTRACT

**SUMMARY:** Attached is a proposed renewal contract with John Contestable to serve as the County's Building Inspector for a year, beginning August 15, 2019 running through August 15, 2020.

**RECOMMEND:** APPROVE RENEWAL OF CONTRACT WITH JOHN CONTESTABLE

---

MOTION MADE BY: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

MOTION SECONDED BY: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

VOTE: ☐ PUGH  
☐ PAHL  
☐ SIMMONS  
☐ SWINDELL  
☐ TOPPING

## NORTH CAROLINA

### HYDE COUNTY

**THIS AGREEMENT**, by and between **HYDE COUNTY**, a political subdivision of the State of North Carolina, hereafter "**County**" and **John Contestable** a resident of Dare County, North Carolina, hereafter "**Contestable.**"

#### WITNESSETH:

For and in consideration of mutual promises and covenants hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party, County and Contestable do hereby contract and agree as follows:

1. **APPOINTMENT AS BUILDING INSPECTOR.** County hereby appoints Contestable as a building inspector with the duty of enforcing the building codes and related laws of the State of North Carolina which deal with building inspection services. Contestable will accept said appointment and during the period of his appointment will faithfully discharge the duties of that office.
2. **AREA OF SERVICE.** The areas in which Contestable shall serve shall be all of Hyde County, provided that County may hereafter obtain building inspection services from other providers in which case Contestable shall be promptly notified and the area in which his services are to be provided shall be curtailed as set forth in that notice. Contestable shall cooperate fully with any building inspector appointed by the County.
3. **SUPERVISION.** In the performance of his duties under this contract Contestable shall not be under the supervision of any County employee and shall carry out his duties as building inspector in accordance with all federal, state and local laws, ordinances and regulations. Contestable shall be an independent contractor but in the fulfillment of his contractual responsibilities he shall confer with the Hyde County Manager as requested by the Manager. Contestable shall provide written monthly reports to the County Manager on all significant activities taken by him pursuant to this agreement.
4. **REQUESTS FOR SERVICE.** Requests to Contestable for building inspection services under this contract shall normally be delivered to Contestable by the County Manager, or his designee(s). However Contestable shall accept requests for services hereunder from any employee of the County acting in their professional capacity. Contestable may be asked by officers of the Hyde County Sheriff's Department to perform building inspection services in conjunction with law enforcement activities and under the direction of such officers. In such instances, Contestable shall not hold himself out as a law enforcement officer and may decline to participate with the office, if in his sole judgment, he determines that his participation would unduly endanger him.



5. **CERTIFICATIONS.** Contestable shall maintain all necessary State and other certifications to provide building inspection services as contemplated hereunder whether those certifications may be required at the time of this agreement or required at a time later during the term of this agreement. Contestable shall maintain a minimum valid level 2 (two) North Carolina certification provided under the North Carolina department of Insurance Code Qualification Board in the following trades: Building; Electrical; Fire; Mechanical; and Plumbing. In the event he fails to maintain the required certifications the County may terminate this Agreement at once by notice to Contestable.
6. **PAYMENT.** Contestable would be paid \$53.00 for each full hour of service as approved by the County Manager or his designee(s). No later than the 20th (twentieth) of each month, Contestable shall submit a written invoice to the County Manager or her designee showing the hours worked, the inspections performed during those hours worked, and the mileage reimbursement requested under Section 7. If the invoice is not received by the 23rd (twenty-third) of the month, then payment may be withheld until the following month.
7. **REIMBURSEMENTS.** The County will reimburse for certain necessary expenses incurred in the performance of this Agreement as follows:
  - a. **Vehicle:** When Contestable is performing building inspection duties for Hyde County, Contestable will provide his own vehicle and will be reimbursed the Standard IRS reimbursement rate, which is presently \$0.58 (fifty-eight cents) per mile, for use of a vehicle furnished, maintained, insured, and outfitted by Contestable. The mileage reimbursement rate shall be adjusted during the term of this contract to reflect adjustments in the Standard IRS mileage rate. Contestable shall be reimbursed mileage to and from his residence when he performs building inspection services under this Agreement to compensate him for commute expenses.
  - b. **Equipment:** All other equipment required for the performance of his duties as building inspector shall be furnished, maintained and insured by Contestable.
8. **UNIFORM.** Contestable shall provide his own clothing, including footwear and other attire, and such shall be clean and of a nature so as to maintain a professional appearance and cause respect from the public.
9. **CELLULAR PHONE.** Contestable shall provide and maintain a cellular phone for his use in connection with providing building services and he shall be available to the County Manager and her designee(s), including contractors and County employees, via this cellular phone in the performance of his duties. Such phone shall be of a type, style, service, and condition as determined by Contestable.
10. **TERM.** This agreement shall commence immediately upon its approval by the County and by Contestable and the agreement **shall continue in effect through August 15, 2020.**

11. **NOTICE.** All notices required by this Agreement shall be in writing and shall be given by personal delivery or by first class mail as follows:

**To County:**

Kris Cahoon Noble  
County Manager, Hyde County  
PO Box 188, Swan Quarter, NC 27885  
252-926-4178

**To Contestable:**

John Contestable  
PO Box 88  
Salvo, NC 27972  
252-564-4340

12. **ASSIGNMENT.** This agreement may not be assigned by Contestable to any other person or entity without the express written permission of County.
13. **MODIFICATION.** A modification or waiver of any of the provisions of this Agreement shall be effective only if made in writing and executed with the same formality as this agreement.
14. **PARTIAL INVALIDITY.** If any provision of this agreement is held to be invalid or unenforceable, all other provisions shall nevertheless continue in full force and effect.
15. **SITUS.** All matters affecting the interpretation of this agreement and the rights of the parties hereto under this agreement shall be governed and controlled by the laws of North Carolina. The venue for any legal action taken under this Contract shall be in the courts of Hyde County.
16. **BINDING EFFECT.** Every provision of this agreement shall be binding upon each of the parties and their respective heirs, executors, administrators, and successors.
17. **ENTIRE AGREEMENT.** This agreement contains the entire understanding of the parties, and there are no representations, warranties, covenants, or undertakings other than those expressly set forth herein.

**IN WITNESS WHEREOF,** County has caused this agreement in duplicate originals to be executed pursuant to authorization duly given by its Board of Commissioners and Contestable has hereunto set his hand, one of which is retained by each of the parties, this the day and year first above written.

**ATTEST:**

\_\_\_\_\_  
Lois Stotesberry, Clerk to the Board

\_\_\_\_\_  
John Contestable

**COUNTY OF HYDE**

\_\_\_\_\_  
Kris Cahoon Noble  
County Manager

**NORTH CAROLINA  
HYDE COUNTY**

I, Rosemary O. Johnson, a Notary Public in and for the state and county aforesaid, certify that Kris Cahoon Noble personally appeared before me this day and voluntarily acknowledged that she is County Manager of Hyde County and that by authority duly given and as the act of the County the foregoing instrument was signed in its name by herself as County Manager; sealed with its corporate seal, and attested by the Clerk to the Board of Commissioners. The undersigned Notary Public has personal knowledge of the identity of the principal's or satisfactory evidence of the principal's identity.

WITNESS my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

My Commission Expires: 6/27/2024

**NORTH CAROLINA  
\_\_\_\_\_ COUNTY**

I, \_\_\_\_\_, a Notary Public in and for the State and county aforesaid, certify that John Contestable personally appeared before me, and he voluntarily acknowledged the due execution of the foregoing instrument for the purposes therein expressed. The undersigned Notary Public has personal knowledge of the identity of the principal or satisfactory evidence of the principal's identity.

WITNESS my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Finance Officer-County of Hyde